IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MONTANA MISSOULA DIVISION

CANDACE FRIESEN, Individually and as Representative of the Estate of Ladell Friesen and as Next Friend of her Minor Daughter Abigail Ladell Friesen; STAN FRIESEN; LOIS FRIESEN,

Plaintiffs,

VS.

ACE DORAN HAULING & RIGGING, INC.; ISSAC SAUNDERS COLES; and DOES 1-25,

Defendants.

CV 12-134-M-DLC

ORDER

FILED

OCT 0 2 2013

Clerk, U.S. District Court District Of Montana Missoula

The parties in the above captioned case filed a joint motion for dismissal without prejudice as to Defendant Isaac Saunders Coles. (Doc. 101.)

In return for Plaintiffs dismissing all causes of action against Isaac Saunders Coles, Mr. Coles has stipulated and agreed to be available for trial testimony during the Plaintiffs' case in chief upon reasonable written request tendered to Mr. Coles' attorney of record. Pursuant to the joint motion,

IT IS ORDERED that all claims alleged against Isaac Saunders Coles by the Plaintiffs are DISMISSED WITHOUT PREJUDICE.

DATED this 2rd day of October, 2013.

Dana L. Christensen, Chief Judge

United States District Court